

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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In Re: Methyl Tertiary Butyl Ether (“MTBE”)
Products Liability Litigation

Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88
ECF Case

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This document relates to the following case:

City of New York v. Amerada Hess Corp., et al.
Case No. 04 Civ. 3417

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**DECLARATION OF LESLEY E. WILLIAMS IN SUPPORT OF PLAINTIFF
CITY OF NEW YORK’S OPPOSITION TO LYONDELL CHEMICAL
COMPANY’S MOTION *IN LIMINE* TO EXCLUDE ANY ARGUMENT OR
EVIDENCE ATTRIBUTING THE ACTS OF LIABILITY OF ATLANTIC
RICHFIELD COMPANY TO ARCO CHEMICAL COMPANY OR LYONDELL
CHEMICAL COMPANY**

Lesley E. Williams, an attorney licensed to practice in the State of New York and in the United States District Court for the Southern District of New York, hereby declares under penalty of perjury:

1. I am an attorney with the law firm of Sher Leff LLP, counsel for Plaintiff the City of New York (“the City”) in the above-captioned matter. I submit this Declaration in support of Plaintiff City of New York’s Opposition to Lyondell Chemical Company’s Motion *in Limine* to Exclude Any Argument or Evidence Attributing the Acts of Liability of Atlantic Richfield Company to ARCO Chemical Company or Lyondell Chemical Company (the “Opposition”). This declaration authenticates the exhibits attached hereto and relied on in the City’s Opposition. In accordance with the Court’s Individual Rules and Procedures, the exhibits have been excerpted to

include only the relevant material. Copies of each of the exhibits appended hereto were made at my direction on or around May 26, 2009.

2. Attached as Exhibit 1 is a true and correct copy of a July 21, 1986 letter from E. Capaldi, ARCO Chemical Company to R. Brink, U.S. EPA and "Methyl-tertiary Butyl Ether: Critique of the CRCS, Inc./Dynamac Corporation Information Review" ARCO Chemical Company, A Division of Atlantic Richfield Company (ARC 0176188-203), attached thereto.

3. Attached as Exhibit 2 is a true and correct copy of excerpts of the Deposition of Eugene Capaldi dated Sept. 19, 2000 at 12:13-14:16, *South Tahoe Public Utility District v. Atlantic Richfield Co., et al.*

4. Attached as Exhibit 3 is a true and correct copy of excerpts of the Deposition of George Yogis dated Sept. 14, 2000 at 12:11-23, *South Tahoe Public Utility District v. Atlantic Richfield Co., et al.*

5. Attached as Exhibit 4 is a true and correct copy of excerpts of the Deposition of Edward Dineen dated Sept. 27, 2000 at 8:10-9:18, *South Tahoe Public Utility District v. Atlantic Richfield Co., et al.*

6. Attached as Exhibit 5 is a true and correct copy of excerpts of the Deposition of Willam Piel dated Sept. 22, 2000 at 14:8-15:22, 66:17-23, 67:5-24, 68:10-20, *South Tahoe Public Utility District v. Atlantic Richfield Co., et al.*

7. Attached as Exhibit 6 is a true and correct copy of excerpts of the Deposition of Alan Hersig, dated Sept 29, 2000 16:25-18:12, *South Tahoe Public Utility District v. Atlantic Richfield Co., et al.* and Ex. 1 (LAN 0607977-83).

On this 26th day of May 2009, I hereby declare under penalty of perjury under the laws of the United States that the foregoing statements are true and correct.

Dated: San Francisco, California
May 26, 2009

/s/ LESLEY E. WILLIAMS

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